

REMARKS/ARGUMENTS

Claims 1-8 stand rejected in the outstanding Official Action. Claim 1 has been amended and therefore claims 1-8 remain in this application.

The Examiner's confirmation of PTO acceptance of the originally filed formal drawings is very much appreciated. Similarly, the acknowledgment of receipt of Applicants' claim for priority and the certified copies of the priority documents is appreciated. Finally, the Examiner's acknowledgment of having considered the prior art submitted with Applicant's previously filed Information Disclosure Statement is appreciated.

The Patent Office objects to the arrangement of the specification. It is also appreciated that the Examiner has brought the arrangement of the specification to the applicant's attention. It is noted that the objection to the arrangement appears to be an indication that the originally filed specification does not meet the formality requirements of the U.S. Patent and Trademark Office. The Patent Office is reminded that the U.S. Patent and Trademark Office must comply with all articles of the Patent Cooperation Treaty (PCT) including Article 27. It has been held that:

“if the rule and interpretation of the PTO conflicts with the PCT, it runs afoul of Article 27 of the PCT which provides in part:

- (1) No national law shall require compliance with requirements relating to the form or contents of the international application different from or additional to those which are provided for in this Treaty and the Regulations.” Caterpillar Tractor v. Commissioner, 231 USPQ 590, 591 (EDVA 1986).

The Patent Office has referenced this decision in the Official Gazette dated September 9, 1986 (1070 TMOG 5).

As a consequence, the Patent Office may not require specification format changes as long as the originally submitted documents comply with the PCT requirements. Inasmuch as this specification was forwarded for WIPO, by definition, they meet the PCT requirements (they are not forwarded until they meet PCT requirements.). Therefore, the objection to the specification is respectfully traversed and reconsideration thereof is respectfully requested.

Notwithstanding the above, applicant has added headings and subheadings to the specification.

Claims 1-8 stand rejected under 35 USC §102(b) as being anticipated by Novotny (U.S. Patent 6,483,962). Applicants have amended claim 1 by adding a colon after the word "comprising" in line 1 and separating the previously recited elements by indentations. However, no claim scope or subject matter changes have been made by the above amendment.

As the Examiner appreciates, in order to support a rejection under §102, the burden is on the Examiner to establish how or where the cited prior art reference contains a disclosure of each and every structural recitation recited in Applicants' claims. In this instance, Applicants' independent claim requires at least two independent processing channels, a plurality of optical fibers with their ends oriented to receive electromagnetic radiation and couplers interconnecting the other ends of the optical fibers in parallel whereby electromagnetic radiation is coupled together and then directed into each of the independent processing channels. This arrangement is illustrated in Figure 2 with the plurality of optical fibers 42 and 43 (as well as the other unillustrated and unnumbered plurality of fibers) coupled together by coupler 54 into independent processing channels 45 and 47.

Novotny clearly discloses a plurality of optical fibers. In a very broad sense, it also discloses ends of the fibers oriented to receive electromagnetic radiation. However, Novotny fails to disclose the claimed "at least two independent processing channels." Novotny instead merely teaches an optical "cross connect switch" which directs an optical data signal from an incoming optical fiber array to an outgoing optical fiber array. No independent processing channel is provided and should the Examiner believe there to be one disclosed in the Novotny reference, he is respectfully requested to provide the column and line number of any discussion and the figure and item number of any such structure.

Applicants' independent claim also requires "couplers interconnecting the other ends of said optical fibres." Again, the Examiner fails to point out where or how he believes the Novotny reference provides any coupler which interconnects the ends of the optical fibers. Again, should the Examiner believe this to be disclosed in Novotny, he is requested to identify the figure and item numbers, as well as the column and line number of any discussion of these elements.

Applicant's independent claim 1 also requires that the electromagnetic radiation transmitted by the optical fibers is coupled together and then "directed into each of the independent processing channels." In other words, in the claimed invention which is a signal processing system, the data from each of the fibers is coupled together and then directed into independent processing channels. This is the opposite of what is desired in Novotny where the whole point is to prevent data from one optical fiber being connected to an adjacent optical fiber. Novotny is an optical cross connect switch system and not any sort of coupler for coupling data or information transmitted by separate fibers together. Not only does Novotny fail to teach

coupling them together, but there is no independent processing channel for which the coupled together electromagnetic radiation can be directed. Moreover, there is no disclosure of directing this coupled together electromagnetic radiation into "each of the independent processing channels."

As a result of the above and the failures of the Novotny reference to disclose or render obvious the subject matter in independent claim 1, there is no support for the rejection of claim 1 or claims 2-8 dependent thereon under 35 USC §102 over the Novotny reference and any further rejection thereunder is respectfully traversed.

Having responded to all objections and rejections set forth in the outstanding Official Action, it is submitted that amended claim 1 and claims 2-8 dependent thereon are in condition for allowance and notice to that effect is respectfully requested. In the event the Examiner is of the opinion that a brief telephone or personal interview will facilitate allowance of one or more of the above claims, she is respectfully requested to contact Applicants' undersigned representative.

Respectfully submitted,

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